

Art Unit: 1794

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for the examiner's amendment to claims 21 and 29 was given in a telephone interview with Renzo Rocchegiani on October 10, 2008. (The specification has also been amended to update the status of the parent application.)

The application has been amended as follows:

In the specification:

Page 1, second line of the cross-reference to related applications paragraph (paragraph previously amended by preliminary amendment filed March 10, 2004): "30, 2001," has been changed to --30, 2001, now U.S. Patent No. 6,720,573,--.

In the claims:

Claim 21, line 3: "1a an the" has been changed to --1a and the--.

Claim 29, line 1: "the layer" has been changed to --the thickness of the layer--.

The amendment filed September 09, 2008, which amends claims 1, 12 and 21, cancels claim 25, and adds claim 29, overcomes all rejections set forth in the Office action mailed June 12, 2008.

Applicant refers to “the specification at paragraph [0041]” as supporting the amendments to claim 21 and for new claim 29. The specification paragraphs are not numbered in the application. Support for the thickness limitations set forth in claims 21 and 29 is found at page 10, lines 3-4, of the specification.

With respect to the three related cases listed in the Information Disclosure Statement filed September 09, 2008, the examiner has considered the first two (App. Nos. 12/149,747 and 12/087,929). The third case, identified by docket number, filing date and inventor, does not appear to have been assigned an application number yet, and does not appear to be available for review by the examiner. The examiner notes that as long as the third case has an effective U.S. filing date after the effective U.S. filing date of the present application, the third case does not represent prior art. Any similarities in claimed subject matter between the present application and the third case can be resolved during prosecution of the third case.

Claims 1-4, 6, 7, 9-16, 18-24 and 26-29 are allowed. Allowed claims 1-4, 6, 7, 9-11, 14-16, 19, 20, 12, 13, 18, 21-24, 28, 29, 26 and 27 are renumbered as 1-25, respectively.

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With respect to the claim for foreign priority and the certified copies of the priority documents:

Copies of the certified copies of KR 1999-67746 and KR 2000-82085 were received in Application No. 09/914,731, which is a national stage application, from the International Bureau (PCT Rule 17.2(a)).

Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at telephone number (571) 272-1531. The examiner works a flexible schedule but can generally be reached at this number from 7:00 a.m. to 3:30 p.m. Monday-Friday.

The current fax number for all official faxes is (571) 273-8300. (Unofficial faxes to be sent directly to examiner Yamnitzky can be sent to (571) 273-1531.)

/Marie R. Yamnitzky/
Primary Examiner, Art Unit 1794

MRY
October 10, 2008